

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PERRY CIRALU, Individually and On :  
Behalf of All Others Similarly Situated,  
Plaintiff, :  
vs. : Case No. 14-cv-08659 (AKH)

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., NICHOLAS S. :  
SCHORSCH, DAVID S. KAY, BRIAN :  
BLOCK and LISA MCALISTER, :  
Defendants. :  
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BERNARD PRIEVER, Individually And On :  
Behalf Of All Others Similarly Situated,  
Plaintiff, :  
vs. : Case No. 14-cv-08668 (AKH)

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., LISA P. MCALISTER, :  
and BRIAN S. BLOCK, :  
Defendants. :  
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STUART RUBINSTEIN, Individually and on :  
Behalf of All Others Similarly Situated,  
Plaintiff, :  
vs. : Case No. 14-cv-08669 (AKH)

AMERICAN REALTY CAPITAL  
PROPERTIES, INC., BRIAN S. BLOCK, :  
LISA MCALISTER AND NICHOLAS S. :  
SCHORSCH, :  
Defendants.

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KEVIN PATTON, Individually and on Behalf :  
of All Other Persons Similarly Situated,  
Plaintiff, :  
vs. : Case No. 14-cv-08671 (AKH)  
  
AMERICAN REALTY CAPITAL  
PROPERTIES, INC.; DAVID S. KAY; :  
NICHOLAS S. SCHORSCH; BRIAN S. :  
BLOCK; AND LISA MCALISTER, :  
  
Defendants. :  
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JAMES W. EDWARDS, JR., Individually and :  
on Behalf of All Others Similarly Situated,  
Plaintiff, :  
vs. : Case No. 14-cv-08721 (AKH)  
  
AMERICAN REALTY CAPITAL  
PROPERTIES, INC., NICHOLAS S. :  
SCHORSCH, DAVID S. KAY, BRIAN :  
BLOCK and LISA PAVELKA MCALISTER, :  
  
Defendants. :  
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BERNEY HARRIS, individually and on behalf :  
of all others similarly situated,  
Plaintiff, :  
vs. : Case No. 14-cv-08740 (AKH)  
  
AMERICAN REALTY CAPITAL  
PROPERTIES, INC., NICHOLAS S. :  
SCHORSCH, BRIAN S. BLOCK, and LISA :  
MCALISTER, :  
  
Defendants. :  
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**NOTICE OF MOTION AND MOTION FOR CONSOLIDATION OF ALL ACTIONS,  
APPOINTMENT AS LEAD PLAINTIFF AND  
APPROVAL OF LEAD PLAINTIFF'S SELECTION OF COUNSEL**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that proposed Lead Plaintiff the New York City Employees' Retirement System; the New York City Police Pension Fund and the New York City Police Officers' Variable Supplements Fund; the Board of Education Retirement System of the City of New York; the Teachers' Retirement System of the City of New York and the Teachers' Retirement System of the City of New York Variable A; and the New York City Fire Department Pension Fund, the New York City Fire Officers' Variable Supplements Fund, and the New York City Fire Fighters' Variable Supplements Fund (collectively, the "NYC Funds"), will move this Court, on a date and at such time as may be designated by the Court, at 500 Pearl Street, New York, NY 10007, for an order: (1) consolidating the related actions; (2) appointing NYC Funds as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995; and (3) approving NYC Funds' selection of Cohen Milstein Sellers & Toll PLLC as Lead Counsel on behalf of the proposed class. In support of this motion, NYC Funds submit the accompanying Memorandum of Law, the Declaration of Christopher Lometti and [Proposed] Order granting the motion for consolidation, appointment as Lead Plaintiff and approval of lead counsel.

Dated: December 29, 2014

Respectfully submitted,

**COHEN MILSTEIN SELLERS  
& TOLL PLLC**

/s/ Christopher Lometti

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*Counsel for New York City Pension Funds*